

IN THE CLAIMS

Please amend the claims of the present application under the provisions of 37 C.F.R. §1.121, as indicated below:

1. (currently amended) A cement composition comprising:
 - i) colored cement produced from clinkers formed with pigment prior to sintering;
 - ii) water;
 - iii) an inert filler comprising up to 100 weight percent of a man made pigmented inert filler, wherein the man made pigmented inert filler will maintain at least 60% of its color after being immersed in concentrated hydrochloric acid for forty-eight hours and at least 60% of its color after being immersed in a 6 percent sodium hypochlorite solution for forty-eight hours; and
 - iv) optionally, conventional additives selected from the group consisting of latexes, setting aids, dispersant, surfactants, liquefiers, reinforcing fibers, preservatives, antifoaming agents, thixotropy and viscosity control agents, plasticizer, freeze thaw stabilizers, flame ~~retardancy~~ retardants or mixtures of the ~~foregoing~~ thereof.

2. (currently amended) The cement composition as defined in claim 1 wherein the inert filler is ~~taken~~ selected from the group consisting of calcium carbonate, sand, silica sand and crushed stone or marble, ~~having a naturally occurring color.~~

3. (cancelled)

4. (currently amended) The cement composition as defined in claim ~~3~~ 1 wherein the pigmented inert filler is ~~taken from the group consisting of~~ comprises sand and silica sand.

5. (original) The cement composition as defined in claim 1 wherein the composition is a pool plaster, stucco, mortar or grout.

6. (currently amended) The cement composition as defined in claim 3 1 wherein the ~~effective~~ amount of the man made pigmented inert filler is approximately 15-100 weight percent of the total weight of the inert filler.

7. (currently amended) The cement composition as defined in claim 3 1 wherein man made pigmented inert filler comprises an inert filler that has exhibits ~~superhydrobie~~ superhydrophobic properties or wherein a pigment has been bonded to the inert filler by an epoxy linkage.

8. (currently amended) The cement composition as defined in claim 3 1 wherein the man made pigmented inert filler will maintain at least 80% of its color after being immersed in concentrated hydrochloric acid for forty-eight hours and at least 80% of its color after being immersed in a 6 percent sodium hypochlorite solution for forty-eight hours.

9. (currently amended) A cement composition consisting essentially of:
- i) colored cement produced from clinkers formed with pigment prior to sintering;
 - ii) water;
 - iii) an inert filler comprising up to 100 weight percent of a man made pigmented inert filler, wherein the man made pigmented inert filler will maintain at least 60% of its color after being immersed in concentrated hydrochloric acid for forty-eight hours and at least 60% of its color after being immersed in a 6 percent sodium hypochlorite solution for forty-eight hours; and
 - iv) optionally, conventional additives selected from the group consisting of latexes, setting aids, dispersant, surfactants, liquefiers, reinforcing fibers, preservatives,

antifoaming agents, thixotropy and viscosity control agents, plasticizer, freeze thaw stabilizers, flame ~~retardancy~~ retardants or mixtures of the foregoing thereof.

10. (currently amended) A method for preparing a colored cement composition, said method comprising the steps of:

(a) preparing a colored cement by sintering clinkers comprising a pigment as a component thereof;

(b) mixing water, the colored cement and an inert filler comprising up to 100 weight percent of a man made pigmented inert filler, wherein the man made pigmented inert filler will maintain at least 60% of its color after being immersed in concentrated hydrochloric acid for forty-eight hours and at least 60% of its color after being immersed in a 6 percent sodium hypochlorite solution for forty-eight hours; and

(d) optionally, conventional additives selected from the group consisting of latexes, setting aids, dispersant, surfactants, liquefiers, reinforcing fibers, preservatives, antifoaming agents, thixotropy and viscosity control agents, plasticizer, freeze thaw stabilizers, flame ~~retardancy~~ retardants or mixtures of the foregoing thereof.

11. (currently amended) The method for preparing a colored cement composition as defined in claim 10 wherein the inert filler is ~~taken~~ selected from the group consisting of calcium carbonate, ~~sand, silica~~ sand and crushed stone or marble, ~~having a naturally occurring color.~~

12. (cancelled)

13. (currently amended) The method as defined in claim ~~12~~ 10 wherein the effective amount of the man made pigmented inert filler is approximately 15-100 weight percent of the total weight of the inert filler.

14. (currently amended) The method as defined in claim ~~12~~ 10 wherein the man made pigmented inert filler comprises an inert filler that exhibits superhydrophobic properties or wherein a pigment has been bonded to the inert filler by an epoxy or a siloxane linkage.

15. (currently amended) The method as defined in claim ~~12~~ 10 wherein the man made pigmented inert filler can maintain at least 80% of its color after being immersed in concentrated hydrochloric acid for forty-eight hours and at least 80% of its color after being immersed in a 6 percent sodium hypochlorite solution for forty-eight hours.

16. (currently amended) A method for preparing a colored cement composition comprising:

- (i) selecting a color from a color grid having axes with ~~preselected~~ component colors;
- (ii) determining the component colors from the axes of the grid corresponding to the selected color;
- (iii) mixing two or more ~~predetermined~~ portions of a colored ~~and/or~~ cement produced from clinkers formed with pigment prior to sintering that correspond to the ~~determined~~ component colors selected from the axis of the color grid; and
- (iv) during the mixing of the colored cement produced from clinkers formed with pigment prior to sintering and/or uncolored cement or after the mixing of the colored cement, mixing water and inert filler to obtain a cement composition with the selected color.

17. (currently amended) The composition as defined claim 1 further ~~0-5~~ up to 5 weight percent based on the total weight of the composition of non-bonded pigment.

18. (currently amended) The composition as defined in claim ~~3~~ 1 wherein the inert filler comprises ~~0-10~~ up to 10 weight percent, based on the total weight of the inert

filler, of man made pigmented inert filler fines with a particle size of smaller than 100 mesh.

19. (currently amended) The composition as defined in claim ~~3~~ 1 wherein the inert filler comprises ~~0-10~~ up to 10 weight percent, based on the total weight of the inert filler, of man made pigmented inert filler fines with a particle size of smaller than 150 mesh.

20. (currently amended) The composition as defined in claim ~~3~~ 1 wherein the inert filler comprises ~~0-10~~ up to 10 weight percent, based on the total weight of the inert filler, of man made pigmented inert filler fines with a particle size of smaller than 200 mesh.

21. (currently amended) The cement composition as defined in claim 9 wherein the inert filler is ~~taken~~ selected from the group consisting of calcium carbonate, sand, silica sand and crushed stone or marble, ~~having a naturally occurring color or being white.~~

22. (cancelled)

23. (currently amended) The cement composition as defined in claim ~~22~~ 9 wherein the inert filler comprises a man made pigmented inert filler that exhibits superhydrophobic properties or wherein a pigment has been bonded to the inert filler by an epoxy linkage.

24. (currently amended) The cement composition as defined in claim ~~22~~ 9 wherein the man made pigmented inert filler will maintain at least 80% of its color after being immersed in concentrated hydrochloric acid for forty-eight hours and at least 80%

of its color after being immersed in a 6 percent sodium hypochlorite solution for forty-eight hours.

25. (currently amended) The composition as defined in claim ~~22~~ 9 wherein the inert filler comprises ~~0-10~~ up to 10 weight percent, based on the total weight of the inert filler, of man made pigmented inert filler fines with a particle size of smaller than 100 mesh.

26. (currently amended) The composition as defined in claim ~~22~~ 9 wherein the inert filler comprises ~~0-10~~ up to 10 weight percent, based on the total weight of the inert filler, of man made pigmented inert filler fines with a particle size of smaller than 150 mesh.

27. (currently amended) The composition as defined in claim ~~22~~ 9 wherein the inert filler comprises ~~0-10~~ up to 10 weight percent, based on the total weight of the inert filler, of man made pigmented inert filler fines with a particle size of smaller than 200 mesh.